

## **Exhibit of Explanation to FCC 601 Main Form**

### **1. Alien Ownership Questions**

As described below, the applicant is a société à responsabilité limitée (or Private Company Limited by Shares) formed under the laws of Luxembourg. Because the applicant seeks private land mobile radio licenses, none of the restrictions set forth in section 310(b) of the Communications Act is applicable. *See* 47 U.S.C. § 310(b); 47 C.F.R. § 90.115. We explain below our responses to the alien ownership questions in the application.

*Is the applicant an alien or the representative of an alien?*

The applicant is a société à responsabilité limitée (or Private Company Limited by Shares) formed under the laws of Luxembourg.

*Is the applicant a corporation organized under the laws of any foreign government?*

The applicant is a société à responsabilité limitée (or Private Company Limited by Shares) formed under the laws of Luxembourg. The applicant is qualified to transact business as a limited liability company in the State of North Carolina.

*Is the applicant a corporation of which more than one-fifth of the capital stock is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?*

All of the applicant's outstanding equity is directly owned collectively by KoSa US Investments S.à r.l. and KoSa Luxembourg S.à r.l., each of which is a société à responsabilité limitée (or Private Company Limited by Shares) formed under the laws of Luxembourg.

*Is the applicant directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned of record or voted by aliens, their representative, or by a foreign government or representative thereof, or by any corporation organized under the laws of a foreign country?*

All of the applicant's outstanding equity is directly owned collectively by KoSa US Investments S.à r.l. ("KoSa US") and KoSa Luxembourg S.à r.l. ("KoSa Luxembourg"), each of which is a société à responsabilité limitée (or Private Company Limited by Shares) formed under the laws of Luxembourg. All of the outstanding equity of KoSa Luxembourg is owned directly by KoSa US. All of the outstanding equity of KoSa US is owned by INVISTA B.V., a private limited company formed under the laws of the Netherlands ("INVISTA Parent"), which is the parent of a global textiles and interiors business conducted under the name "INVISTA".

All of INVISTA Parent's equity is owned directly and indirectly by other entities formed under the law of jurisdictions other than the United States.

## **2. Basic Qualification Questions**

*Has the applicant or any party to this application, or any party directly or indirectly controlling the applicant, ever been convicted of a felony by any state or federal court?*

A business controlled by the applicant, formerly known as Arteva Specialties, d/b/a KoSa, and a former Arteva employee were charged with participating in a conspiracy to suppress and eliminate competition by fixing the price of, and allocating customers for, polyester staple sold in North America between September 1999 and January 2001. Polyester staple is a petroleum-based fiber that is used in the manufacture of a variety of consumer products. Arteva Specialties pled guilty in December 2002 in accordance with a plea agreement to the only charge in the information. The parties jointly recommended and the court sentenced Arteva Specialties to a \$28.5 million criminal fine with no probation. The amount of the fine represented a downward departure from the fine range set out in the sentencing guidelines in effect at the time. The government agreed to the downward departure because of Arteva Specialties' substantial assistance in the government's investigation.